

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

WP(C).No. 256 of 2015 (F)

PETITIONER

**PADMAJAN S.A. AGED 22 YEARS
S/O.K.K.SUKUMAR, BJ COTTAGE, BHAGAVATH NADA P.O.
VEDIVACHANCOIL - 680 101.**

BY ADV. SRI.M.S.UNNKRISHNAN

RESPONDENT(S):

- 1. CENTRAL BOARD OF SECONDARY EDUCATION
REPRESENTED BY ITS CHAIRMAN
NEW NO.3 (OLD NO.1630-A)' J' BLOCK, 16TH MAIN ROAD
ANNA NAGAR(WEST), CHENNAI- 600 040.**
- 2. PRINCIPAL,
SABARIGIRI ENGLISH SCHOOL, ANCHAL, KOLLAM
KERALA - 691 306.**

R BY SRLDEVANRAMACHANDRAN, SC, CBSE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
01-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 256 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF THE BIRTH CERTIFIED OF THE PETITIONER
ISSUED BY THE SUB REGISTRAR OF BIRTHS AND DEATHS
CORPORATION OF TRIVANDRUM**
- EXT.P2: TRUE COPY OF THE PASS CERTIFICATE ISSUED TO THE
PETITIONER ON 26/5/2009 BY THE 1ST RESPONDENT**
- EXT.P3: TRUE COPY OF THE PASS CERTIFICATE CERTIFICATED ISSUED
TO THE PETITIONER ON 23/5/2011 BY THE 1ST RESPONDENT**
- EXT.P4: TRUE COPY OF THE PETITION DATED 14/11/2014 SUBMITTED
BEFORE THE 2ND RESPONDENT**
- EXT.P5: TRUE COPY OF THE PROCEEDINGS ISSUED BY THE 1ST
RESPONDENT DATED 12/12/2014.**

RESPONDENT(S)' EXHIBITS

NIL

TRUE COPY

P.A TO JUDGE

SMM

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 256 of 2015

Dated this the 6th day of March, 2015

J U D G M E N T

Petitioner is stated as aggrieved of the inadvertent mistake which has crept in relevant school/certificates showing the date of birth of the petitioner as 11-5-1994 in place of '11-6-1992'.

2. The case of the petitioner is that, when he sought admission for Engineering course, the above mentioned mistake was noted, when the petitioner submitted an application before the 2nd respondent/Principal of the School. Pursuant to the above, the petitioner submitted a petition before the 2nd respondent for rectifying the mistake as evident from Ext.P4, which was forwarded to the 1st respondent. However, pursuant to non-consideration of Ext.P4, the 1st respondent issued Ext.P5 letter dated 12-12-2014. The petitioner approached the 2nd respondent seeking correction of the date of birth in the school records like Admission Register and further requesting to forward the corrected records for effecting correction in the CBSE records. It is submitted that, the callous inaction of the respondents has made the petitioner to approach this Court seeking for

appropriate reliefs.

3. The learned standing counsel for the respondents 1 and 2 submits that, by virtue of the Bye-laws of the C.B.S.E, the petitioner has to approach the school authorities and get his school records corrected showing the actual date of birth as '11-6-1992'. Thereafter, the application has to be got forwarded along with the corrected date of birth as certified by the school authorities to the 1st respondent, on which event, the same will be considered and appropriate steps will be pursued to redress the grievance of the petitioner.

4. In the above circumstances, the petitioner is left to approach the 2nd respondent and get his school records corrected based on the relevant materials; simultaneously causing the same to be forwarded to the 1st respondent as prescribed for taking further steps. On receipt of such proceedings, the matter shall be considered and final orders shall be passed by the 1st respondent after verifying the genuineness, in accordance with law, particularly, in view of the decision rendered by the Division Bench of this Court in W.A. No.1948/2008 holding that the bar of 'two years' (which is now stated as enhanced to 'five' years) will not stand in the way of causing the date of birth to be corrected in

genuine cases. Final orders as above, shall be passed by the 1st respondent as expeditiously as possible, at any rate, within 'three months' from the date of receipt of a copy of the proceedings as aforesaid.

The writ petition is disposed of as above. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondent for further steps.

P.R. RAMACHANDRA MENON, JUDGE.

smm